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FRIDAY, JULY 22, 2005

THE WEEKLY CLOSER

FROM THE SENATE ENVIRONMENT AND PUBLIC WORKS COMMITTEE
MAJORITY PRESS OFFICE

VOLUME 1, NUMBER 6

THE WEEK IN REVIEW...

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- [Climate Change Administration Reports on Climate Backed By NOAA Scientists, Mahoney Tells Senate \(BNA Daily Environment Report\)](#)

QUOTE OF THE WEEK...

"However, to the point of absurdity, Kyoto has become an almost religious test of whether one is a true believer or a heathen planet killer. It is fast reaching fundamentalist proportions."

Paul Gilding
former executive director of [Greenpeace International](#)
The Australian
July 19, 2005

INHOFE SAYS ATTEMPT TO OVERTURN ADMINISTRATION'S MERCURY RULE DELAYS PROGRESS AND WILL SHIFT POWER PLANTS AWAY FROM COAL TOWARD MORE COSTLY NATURAL GAS

Sen. Inhofe issued the following statement Monday upon learning that the sponsors of S. J. Res. 20, a resolution to disapprove the first-ever regulation of mercury emissions from power plants, have decided to circumvent the committee process and deny a hearing by filing a petition for its discharge:

"For the last three years, I have promoted comprehensive clean air legislation, Clear Skies, over piecemeal regulations that are susceptible to litigation and delays such as what we're seeing today," said Senator Inhofe. "It's unfortunate that the sponsors of S. J. Res. 20 are hastily seeking to circumvent the committee process in which we could discuss the pros and cons of the existing mercury rule and their resolution. Their proposed rollback of the mercury rule, the first regulation of its kind applied to power plants, will only delay progress in reducing mercury emissions."

"The sponsors' hidden attempt to force a Maximum Achievable Control Technology, or MACT, standard will only shift more plants away from coal use to more costly natural gas. Coal is the most reliable and affordable domestic source of energy, but a MACT standard would not favor its continued use, meaning even higher energy prices for our families and businesses large and small."

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FULL COMMITTEE BUSINESS MEETING RESULTS (WEDNESDAY, JULY 20, 2005)

On Wednesday, the Committee on Environment and Public Works held a business meeting and approved S. 1400, the Water Infrastructure Financing Act, which would add \$20 billion to the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) and \$15 billion to the agency's Drinking Water State Revolving Fund (DWSRF) over the next five years for repairs and upgrades. It would also authorize \$3 billion in grants over that same time period. Unfortunately, the committee passed a comprehensive Davis-Bacon amendment to the bill. The Davis-Bacon labor law would be used in all water works contracts and requires states and localities to pay a base amount of money for labor. This would add up to 38% of additional cost for construction. Senator Inhofe believes states and localities should be able to find the best labor at the best price.

Also approved at the business meeting:

Nominations:

- Marcus A. Peacock, of Minnesota, to be Deputy Administrator of the Environmental Protection Agency
- Susan P. Bodine, of Maryland, to be Assistant Administrator for the Office of Solid Waste and Emergency Response
- Granta Y. Nakayama, of Virginia, to be Assistant Administrator, Office of Enforcement & Compliance Assurance, Environmental Protection Agency

Legislation:

- H. R. 1428, National Fish and Wildlife Foundation Reauthorization Act of 2005
- S. 158, Long Island Sound Stewardship Act of 2005
- S. 1250, A bill to reauthorize the Great Ape Conservation Act of 2000.
- S. 1340, Pittman-Robertson extension
- S. 1265, Diesel Emissions Reduction Act of 2005
- S. 1339, Junior Duck Stamp Reauthorization Act of 2005
- S. 1409, Alaska Native Villages reauthorization
- S. 1410, Neotropical Migratory Bird Conservation Improvement Act of 2005
- S. 1415, Lacey Act Amendments technical correction

Resolutions:

- To authorize GSA's FY06 Capital Investment and Leasing Program.
- To authorize a lease prospectus for the General Services Administration headquarters.
- Committee resolution on the Delaware River and its Tributaries, New Jersey, New York, and Pennsylvania.
- Committee resolution on the South Fork of the South Branch of the Chicago

River, Illinois.

- Committee resolution on the Grand and Tiger Passes and Baptiste Collette Bayou, Louisiana.

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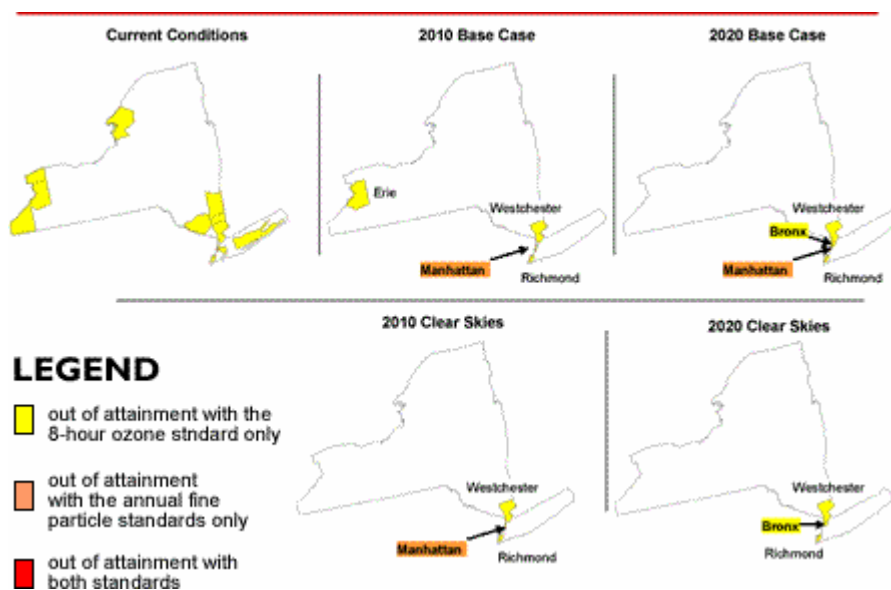
IN THE NEWS...

Clean Air: Only Some Of The News That's Fit To Print?

The New York Times cynically discussed the resignation of Jeffrey Holmstead from the EPA's Office of Air and Radiation in an editorial yesterday titled, "The Clean-Air Wars." The key question is why should there be any "clean air wars?" The goals of improving air quality and human health, growing our economy and preserving American jobs should be shared across ideological lines. Unfortunately, some are denying the opportunity to meet those objectives because a Republican happens to be the one who offered the best workable solution and would ultimately sign it into law – raw political obstruction that simply denies a key environmental and public health victory for the country.

Clear Skies Takes Manhattan... Out of Non-attainment

For the past three years, the *Times* and others have ignored the importance of the fact that Manhattan itself will come into compliance with the new, more stringent air quality standards implemented last year by the Bush Administration under the President's Clear Skies legislation currently pending in Congress.



(Source: <http://www.epa.gov/air/clearskies/state/ny.htm>)

Under Clear Skies, the 1.537 million people of New York City's Manhattan Borough, including nearly 294,000 children, would be breathing air that meets the new National Ambient Air Quality Standards (NAAQS). That, of course, does not factor in the nearly 40 million annual visitors to New York City who spend roughly \$15 billion there. (NYC census data for Manhattan, www.nyc.gov; 2004 visitors statistics forecast from www.nyvisit.com)

Here are the basic facts:

- New York State's sources would reduce emissions of sulfur dioxide (SO₂) by 62%, nitrogen oxides (NO_x) by 35%, and mercury by 72% by 2020 due to Clear Skies. Some of these reductions will occur as a result of New York's state rule. (Note: This is an important point – states will be allowed to enact their own regulations if they feel it is necessary.)
- The health benefits in the state would total \$6 billion (\$1.2 billion under the alternative estimate) and include approximately 800 fewer premature deaths (500 under the alternative estimate) and 1,400 fewer hospitalizations/emergency room visits.
- In addition, New York State would receive environmental benefits, including elimination of chronic acidity from Adirondack lakes and visibility improvements valued at \$170 million for New York residents who visit National Parks and Wilderness Areas nationwide.

(Source: <http://www.epa.gov/air/clearskies/state/ny.htm>)

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IN CASE YOU MISSED IT...

Climate Change Administration Reports on Climate Backed By NOAA Scientists, Mahoney Tells Senate

BNA Daily Environment Report

By Pamela Najor

July 21, 2005

One of the administration's top climate scientists told a Senate subcommittee July 20 that he gives final approval to any climate change documents edited by the White House.

During the first hearing of the Senate Commerce Subcommittee on Global Climate Change and Impacts, James Mahoney, assistant secretary of commerce for oceans and atmosphere and deputy administrator of the National Oceanic and Atmospheric Administration, said all comments or "suggested edits" from various people in 13 agencies reviewing draft reports are redirected to a core of staff scientists and eventually to him.

The edits "all come to me, they are my responsibility" and "I confirm [that] I endorse" the final documents, Mahoney, who also is director of the administration's Climate Change Science Program, told Sen. Frank R. Lautenberg (D-N.J.) during the hearing.

Lautenberg, ranking member of the subcommittee, had asked Mahoney if he was "satisfied that the hand of science was firmly placed" on reports in which former

White House official Philip Cooney allegedly edited the language to weaken scientific conclusions in two reports: Our Changing Planet: The Fiscal Year 2003 U.S. Global Change Research Program and the Our Changing Planet: The Fiscal Year 2003 U.S. Global Change Research Program, Final Report.

The subcommittee held the hearing to review U.S. climate policy and the president's \$5 billion budget request for climate-related science and technology in fiscal year 2006.

Work Plan vs. Statements of Fact

Mahoney noted that one of the reports in question represented "a work plan" for the interagency, long-term strategy to deal with climate change and was "very heavily commented on" by Cooney and others in all 13 agencies designated to have a role in conducting the work.

He added that a work plan "is not the same thing" as "statements of fact or findings" declared by the scientists within the administration.

In late June, Lautenberg and Senate Minority Leader Harry Reid (D-Nev.) asked Mahoney to "immediately retract" two reports allegedly altered by Cooney, former chief of staff at the White House Council on Environmental Quality, until the Government Accountability Office "has determined the legal status of these documents" (125 DEN A-14, 06/30/05).

After the hearing, Lautenberg told BNA that Mahoney is considered a "very reputable scientist" and by making such statements, he did not implicate himself in any wrongdoing. However, because the documents have policy implications, the New Jersey Democrat said he will conduct "more research" into the allegations and proceed with his plan to have GAO investigate Cooney's actions.

Mahoney on July 19 announced his retirement, effective once his successor is confirmed. He cited chronic health problems as the reason for the planned departure (138 DEN A-1, 07/20/05). ...

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Bill Holbrook, Communications Director
Matt Dempsey, Deputy Press Secretary